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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 United States,

12 Plaintiff,

13 v.

14 Nathan Jacobson, et al.,

15 Defendants.  
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Case No. 07-cr-2016-JLS

**ORDER GRANTING MOTION TO  
WITHDRAW GUILTY PLEA**

**ORDER GRANTING MOTION TO  
WITHDRAW GUILTY PLEA  
07-CR-2016-JLS**

1 Pending before the Court is Defendant Nathan Jacobson's Motion to  
2 Withdraw Guilty Plea pursuant to Federal Rule of Civil Procedure 11(d)(2)(B).  
3 (Dkt. 1197.) Rule 11(d)(2)(B) states that "[a] defendant may withdraw a plea of  
4 guilty . . . after the court accepts the plea, but before it imposes sentence if . . . the  
5 defendant can show a fair and just reason for requesting the withdrawal."

6 Based on the evidence before this Court, including Mr. Jacobson's sworn  
7 declaration and the testimony of his former counsel Steven Skurka, and the  
8 government's non-opposition to the Motion to Withdraw, and good cause  
9 appearing, the Court finds that there are fair and just reasons for withdrawal of Mr.  
10 Jacobson's guilty plea. Accordingly, the Court hereby GRANTS the Motion to  
11 Withdraw, DECLARES the plea agreement null and void, and VACATES Mr.  
12 Jacobson's guilty plea.

13 IT IS SO ORDERED.

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15 Dated:

September 15, 2017 *H JLS*

*Janis L. Sammartino*  
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18 Hon. Janis L. Sammartino  
United States District Judge  
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